

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

In Re the Provisional Application of:      Jaw-Kang Chang  
  
Serial Number:  
  
Filed:  
  
For:      Cell Growth Regulation System  
  
Assignee:      Phoenix Pharmaceuticals, Inc.

**DECLARATION FOR PATENT APPLICATION**

This Declaration is made by Jaw-Kang Chang.

I, Jaw-Kang Chang, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is 1501 Redberry Court, Fort Collins, Colorado 80525.

I, Jaw-Kang Chang, hereby declare I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled a "Cell Growth Regulation System" and:

- as originally entitled "Cell Growth Regulation System" the specification of which was filed April 3, 2000 and assigned United States Patent Application Number 60/194,561;

f which we hereby claim the benefit of and priority under pursuant to 35 U.S.C. §§ 119, 120, or 365.

I hereby declare that the above specifications are intended to include disclosure or claims directed to, individually or in combination: embodiments of the invention which may encompass a device, apparatus, method, process, or business method; embodiments of the invention which may encompass permutations or combinations of any aspects of the invention; any aspect of the invention conceived or developed as separate inventions; and any aspect of the invention independent of any initial context considered as preferred embodiments. I also authorize and support this application for patent protection in the United States, and for similar protection in foreign countries, each to be sought to the extent or breadth any owner desires or deems appropriate.

**IRAJ SHAHROK**  
ATTORNEY AT LAW


**BEST AVAILABLE COPY**

I hereby state that we have reviewed and understand the contents of the specification entitled "Cell Growth Regulation System", including any claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

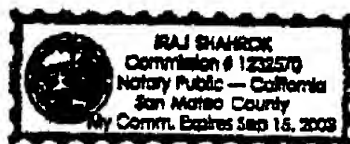
Dated this 30<sup>th</sup> day of March, 2001.


  
Jaw-Kang Chang

UNITED STATES OF AMERICA )  
STATE OF CALIFORNIA )  
COUNTY OF San Mateo )

SUBSCRIBED AND AFFIRMED OR SWORN to before me in the County of San Mateo, State of California, United States of America, by Jaw-Kang Chang, this 30<sup>th</sup> day of March, 2001, and identified self by satisfactory evidence.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.



 **IRA J. SHAHROK**  
ATTORNEY AT LAW  
Notary Public  
My Commission Expires: 9.15.2003

**IRA J. SHAHROK**  
ATTORNEY AT LAW

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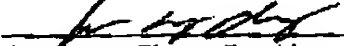
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Serial Number:  
  
Filed:  
  
For:      Cell Growth Regulation System  
  
Assignee:      Phoenix Pharmaceuticals, Inc.

**POWER OF ATTORNEY**

I, Jaw-Kang Chang, President of Phoenix Pharmaceuticals, Inc., hereby appoint Santangelo Law Offices, P.C., whose mailing address is 125 South Howes, Third Floor, Fort Collins, Colorado 80521, including Luke Santangelo, whose registration number before the United States Patent and Trademark Office is 31,997, Craig R. Miles, whose registration number before the United States Patent and Trademark Office is 45,954, and Chad C. Soliz, whose registration number before the United States Patent and Trademark Office is 47,101, as Phoenix Pharmaceuticals, Inc.'s attorney(s)/agent(s) to prosecute this application entitled "Cell Growth Regulation System" and to transact all business in the Patent Office connected therewith.

Dated this 30<sup>th</sup> day of March, 2001.

By:   
Jaw-Kang Chang, President  
Phoenix Pharmaceuticals, Inc.

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**STATEMENT ESTABLISHING SMALL ENTITY STATUS  
(SMALL BUSINESS CONCERN)**

I, Jaw-Kang Chang, as President of Phoenix Pharmaceuticals, Inc., pursuant to 37 C.F.R. Section 1.27(c) state that the following facts are true:

1.      I am President of Phoenix Pharmaceuticals, Inc. As such, I am empowered to act on behalf of the Assignee.
2.      As set forth in 13 C.F.R. Section 121.12, Phoenix Pharmaceuticals, Inc., is an entity whose number of employees, including those of its affiliates, does not exceed 500 persons and which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the subject matter of the enclosed Patent Application. Exclusive rights to the invention have been conveyed to and remain with Phoenix Pharmaceuticals, Inc. and Phoenix Pharmaceuticals, Inc. appears to qualify as a small business concern as defined in 37 C.F.R. Section 1.9(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MADE this 30<sup>th</sup> day of March, 2001.

By: \_\_\_\_\_

Jaw-Kang Chang, President  
Phoenix Pharmaceuticals, Inc.

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